

# **EXHIBIT A**



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June 13, 2024

**VIA USPS CERTIFIED MAIL**

To: Federal and State Officials Per 28 U.S.C. § 1715 on Attached Service List

Re: CAFA Notice for the proposed Settlement in *Friel v. Dapper Labs, Inc. et al.*, 1:21-cv-05837-VM, pending in the United States District Court, Southern District of New York

Dear Federal and State Officials:

Pursuant to Section 3 of the Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C. § 1715, Defendants Dapper Labs, Inc. and Roham Gharegozlou (“Defendants”) hereby notify you of the proposed settlement of the above-referenced action (the “Action”), currently pending in the United States District Court for the Southern District of New York (“the Court”).

Eight items must be provided to you in connection with any proposed class action settlement pursuant to 28 U.S.C. § 1715(b). Each of these items is addressed below, and all are available on the enclosed CD.

1. 28 U.S.C. § 1715(b)(1) – a copy of the complaint and any materials filed with the complaint and any amended complaints.

The initial New York State Court Complaint and First Amended Complaint filed in the United States District Court for the Southern District of New York, along with attachments are available on the enclosed CD as **Exhibits A-1 and A-2, respectively**.

2. 28 U.S.C. § 1715(b)(2) – notice of any scheduled judicial hearing in the class action.

On June 3, 2024, Plaintiff filed a motion for preliminary approval of the class action settlement. On June 4, 2024, the Court entered an Order Preliminarily Approving Class Action Settlement and Providing for Notice. A Settlement Fairness Hearing been scheduled for September 27, 2024, at 10:00 a.m. before the Honorable Victor Marrero at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. Included on the enclosed CD are the Notice of Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement, Memorandum of Law in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement, and the Order Preliminarily Approving Class Action Settlement and Providing for Notice as **Exhibits B-1, B-2, and B-3, respectively**.

3. 28 U.S.C. § 1715(b)(3) – any proposed or final notification to class members.

Copies of the Notice of Pendency and Proposed Settlement of Class Action, Summary Notice of Pendency and Proposed Settlement of Class Action, Postcard Notice, and Proof of Claim and Release Form are available on the enclosed CD as **Exhibits C-1, C-2, C-3, and D, respectively**.

4. 28 U.S.C. § 1715(b)(4) – any proposed or final class action settlement.

The Stipulation of Settlement is available on the enclosed CD as **Exhibit E**.

5. 28 U.S.C. § 1715(b)(5) – any settlement or other agreement contemporaneously made between class counsel and counsel for defendants.

As reflected in paragraph 2.14 of the Stipulation of Settlement, the parties have entered into a confidential supplemental addendum regarding requests for exclusion (the “Supplemental Agreement”) which gives Defendants the right to terminate the settlement in the event that class members timely and validly requesting exclusion from the class meet the conditions set forth in the Supplemental Agreement. The parties have agreed not to file the Supplemental Agreement with the Court unless the Court requires it and to otherwise keep its terms confidential.

6. 28 U.S.C. § 1715(b)(6) – any final judgment or notice of dismissal.

The Court has not yet entered a final judgment or notice of dismissal. Accordingly, no such document is presently available.

7. 28 U.S.C. § 1715(b)(7) – (A) If feasible, the names of class members who reside in each State and the estimated proportionate share of the claims of such members to the entire settlement to that State’s appropriate State official; or (B) if the provision of the information under subparagraph (A) is not feasible, a reasonable estimate of the number of class members residing in each State and the estimated proportionate share of the claims of such members to the entire settlement.

The “Settlement Class” means all Persons who purchased or acquired NBA Top Shot Moments between June 15, 2020 and December 27, 2021. Excluded from the class are: (1) Defendants; (2) the officers and directors of Dapper Labs, Inc. at all relevant times; (3) members of immediate families and their legal representatives, heirs, successors or assigns of any excluded Persons; and (4) any entity in which Defendants or any excluded Persons have or had a controlling interest. Also excluded from the Settlement Class are those Persons who submit a valid and timely request for exclusion in accordance with the June 4, 2024 Order Preliminarily Approving Class Action Settlement and Providing for Notice.

The complete list and counts by state of Class Members is not known.

8. 28 U.S.C. § 1715(b)(8) – any written judicial opinion relating to the materials described in 28 U.S.C. § 1715(b) subparagraphs (3) through (6).

The June 4, 2024 Order Preliminarily Approving Class Action Settlement and Providing for Notice is available on the enclosed CD as **Exhibit B-3**.

The Defendants in this matter are represented by Paul Hastings LLP, 101 California Street Forty-Eighth Floor, San Francisco, CA 94111. If you have any questions about this notice, the Action, or the materials included on the enclosed CD, please contact Kenneth Herzinger of Paul Hastings at 415-856-7000.

Sincerely,

Strategic Claims Services

By: Matthew Shillady  
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Enclosure – CD ROM

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